2011 SENATE NATURAL RESOURCES

SB 2224

2011 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee
Fort Lincoln Room, State Capitol

SB 2224
January 27, 2011
13569

☐ Conference Committee

Committee Clerk Signature Veronica Spalding

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide for a coyote bounty; and a statement of legislative intent

Minutes: Testimony Attached

Chairman Lyson opened the hearing on SB 2224.

Chairman Lyson mentioned that any written testimony not coupled with a testifier would be disallowed because there would be no opportunity for questions.

Senator Klein, District 14: This bill is the result of a lot of discussion. This issue is affecting producers, but also the sportsmen who are noticing the decrease in the pheasant population. Deer are being brought down by coyotes. Producers are concerned because USDA Wildlife Services have been running low on money because of the coyote issue. $100 was just a suggested bounty. I'm not sure if Wildlife Services is the right place to take the money from. This is a starting point. How to get the best harvest, how to prevent fraud, and how to make it work to benefit the producers and ranchers in our state are all questions we have. He related stories of deer being rounded up by coyotes in different areas of the state and people sighting 27 coyotes in one area.

Senator Triplett: Why not just let the market take care of this?

Senator Klein: The market is poor; coyote pelts bring only $15.00.

Senator Heckaman: District 23 spoke in support of SB 2224. Agriculture producers, ranchers and people who live on farms have expressed concern. Coyotes are not only taking cattle and sheep; they are taking dogs and cats as well. Going into calving and lambing season, this is a real concern. There has been talk that 4 out of the 9 Wildlife Service people are going to be laid off, or even 6 out of the 9 or all 9 because of lack of funding. There may be options other than this bill but this is what we have at this time. I even heard that the Wildlife Services or someone from Game & Fish or Fish and Wildlife has introduced wolves into southeastern North Dakota to combat the coyote problem. That raises more concern. That is hearsay. Maybe someone here could verify it.

Gary Jepson, speaking on behalf of the ND Fur Takers and himself, spoke in favor of the bill. Bounties traditionally have not worked well. We as trappers are in favor of this bill, but we also have some concerns. If there would be another source of funding, it would be good rather than taking it from Wildlife Services which is there to help to take care of the problem. They have three concerns. The first concern is that there is usually fraud involved. The ND Fur Takers believe they have a method to identify the coyotes that would be part of the program. The explanation for that method was too lengthy to explain to the committee, but he felt it was a method that would work. The second concern: Previous to fur season there should not be bounties paid out because many of the coyotes would be harvested anyway. Third: from Wild life Services, are the right coyotes being taken to be paid on? We have the method. Communication with the producers who are having the problems would go a long way to get the right ones. We as trappers could be of assistance to the wildlife people. We as Fur Takers could help with the communications with producers. Those are the negatives. Trapping is done for economic gain; if this bounty would be extended beyond the valuable fur season, it could extend the income of some trappers as well as provide the service.

Senator Bowman, District 39 which has the Badlands and lots of coyotes, spoke in favor of the bill. He signed onto the bill because he thinks this spring is going to be an emergency situation. We are going into calving and lambing season with way too many coyotes and not enough deer. A calf born today is worth $500. It is a matter of trying to address the problem before it gets too serious. The ultimate goal is to reduce the coyote population.

Senator Triplett: It is easy to get a fur bearers license in this state. Why do the farmers and ranchers who have an issue not just get a fur-bearers' license and kill the coyotes that are bothering their farm or ranch?

Senator Bowman: It's not that easy. There are more coyotes than there are hunters. Also, the economic value of today's livestock is so great. I'm not sure the $100 bounty is the right amount. Hunters need just compensation for their time spent hunting.

Senator Triplett: Just to clarify, it is easy to get a fur bearers' license and there are no limits on the number of animals that can be taken, correct?

Julie Ellingson, ND Stockmen's Association, presented written testimony in favor of the bill. She did mention that the ND Stockmen's Association has mixed feelings about the bill. They were not in favor of taking money away from the Wildlife Services to fund the bounties. See **Attachment #1**.

Robert Vallie, student at NDSU, originally from Richland County, spoke in favor of the bill. Coyotes have become a problem in Richland County in southeastern North Dakota in the last 10-15 years. They have no natural predators except hunters. Something needs to be done to protect livelihoods.

Chairman Lyson temporarily turned over the chair to Senator Freborg.

Senator Freborg: Anyone else to speak in favor?

Senator Freborg: Anyone to speak in opposition?

Roger Rostvet, Deputy Director of the ND Game & Fish Dept. spoke in opposition to SB 2224. See **Attachment** #2 and #3.

Senator Triplett: What is the status of licenses, and how many fur-bearers can an individual take?

Roger Rostvet: No limit, the season is year round; it is very liberal as far as methods. Landowners do not need a license on their own property.

Senator Triplett: How does the Wildlife Services respond to a request from a rancher? Do they remove the whole group of coyotes from an area? Do they just take an individual specimen that has taken down a calf, etc.? How does the service work?

Roger Rostvet: I could speak in generalities, but the State Dept of Ag oversees it. We provide the part of the funding but it is the state Dept of Ag. that oversees the Wildlife Services. In the last 5 years they have taken 2300 coyotes off of about 400-500 places. The most effective time is just prior to and during calving and lambing season.

Senator Uglem: Would it do any good to allow anyone to shoot a coyote any time they saw one?

Roger Rostvet: We almost did that a few years ago in our licensing structure. We have a sportsman combination license; the fee for the license is basically for your upland game and your general license and habitat stamp. You get the fur bearer for free basically.

Richard Lawler farms and ranches south of Bismarck. He spoke in opposition to the bill. He has used USDA Wildlife Services to remove coyotes from his property, and it has been very effective. He did not think a bounty system would work. Weekend hunters would not be effective. Wildlife Services comes in and takes out a number of coyotes in one day. He wants to keep the professionals in place; they can do in a day what the others do in a whole season. With the price of cattle so high, he would even be willing to pay to have professionals help him. With this many coyotes, there is huge concern for calving season.

Mike McEnroe, ND chapter of the Wildlife Society spoke in opposition.
See **Attachment #4**.

Mike Donahue, representing the ND Wildlife Federation (which has 1200 members) spoke in opposition to the bill. They support the ND Game and Fish Department and they concur with ND Wildlife Society comments.

Foster Ray Hager spoke on behalf of the Cass County Wildlife Club in opposition to the bill. See **Attachment #5**.

Glen Baltrusch presented written testimony in opposition to SB 2224. See **Attachment #6**.

Chairman Lyson: If section 2 would be taken out, would you still oppose this bill?

Glen Baltrusch: Yes

Senator Triplett: What is the going rate for coyotes right now?

Glen Baltrusch: $10-12 if the pelt is unprepared; prepared, up to $100.

In opposition

Neutral

Chairman Lyson: Closed the hearing on SB 2224.

2011 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee
Fort Lincoln Room, State Capitol

SB 2224
February 7, 2011
14143

☐ Conference Committee

Committee Clerk Signature Veronica Lyson

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide for a coyote bounty; and a statement of legislative intent

Minutes: No Attachments

Chairman Lyson opened the hearing on SB 2224.

Senator Hogue: The prime sponsor of this bill has asked me to offer some amendments. The amendments would lower the bounty from $100 to $40, have the season go from February 1st to April 30th, and have the money come not out of the Wildlife Service line but out of the general coffers of the State Game and Fish. The lower bounty would help the money cover more coyote bounties. If you did it in the season, you would maximize the reduction of the population because that is the breeding season.

Senator Triplett: I would not be able to support those amendments because the testimony was very clear that there is a lot of research out there that suggests that bounty programs are not an effective way of managing wildlife under any circumstances and have a lot of negatives. Making it a smaller payout doesn't take care of any of those issues.

Senator Freborg: I was only going to say that the Wildlife Service hunters get paid by that money. They don't want us to use that money because these hunters are very effective in an isolated situation. But I don't think they are effective in reducing the total population. They don't do that and they are very expensive. Something else that sticks in my mind that we should do because it was a concern, if we are going to pass the bill we should say for residents only. If we are going to pass the bill, we would need that amendment also.

Senator Uglem: All the testimony I heard said that bounties don't work. We will just get coyotes in that would have been shot anyway. As an attempt to resolve this I would move a Do Not Pass.

Senator Schneider: Second

Senator Hogue: I oppose the motion. I know there are strong beliefs out there that bounties don't work, but if bounties are focused in a particular area, they can work. They

work if you organize the hunts, orchestrate the event, pan out, set it up as a contest, and encourage hunters to take as many as they can in the area. In certain areas coyotes are a problem; to have coyote hunts in those areas will make a difference. I think it will have results.

Senator Schneider: There are 40,000 coyotes being harvested annually. I don't think we can find any way to ensure that the bounty goes to the people that are hunting in the affected areas.

Senator Triplett: If we reduce the bounty as Senator Hogue is suggesting, that allows for payments on 5000 animals rather than 2000. With the estimate of 40,000 taken already, it seems like a real drop in the bucket and a waste of money. I don't think it is the state's obligation to do more than we are already doing. Given that fur bearer licenses are virtually free in the state, people who have the problem can hire their neighbor kids to shoot coyotes if they want to or do whatever it takes to deal with the coyotes in their own area. We already have a professional service that deals with this and I can't support this.

Roll Call Vote on the Do Not Pass Motion: 4-3-0

Carrier: Senator Uglem

Date: 2-7-11
Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2224

Senate Natural Resources Committee

Legislative Council Amendment Number _____

Action Taken: ☐ Do Pass ☒ Do Not Pass ☐ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Uglem Seconded By Schneider

Senators	Yes	No	Senators	Yes	No
Chairman Lyson		✓	Senator Schneider	✓	
Vice-Chair Hogue		✓	Senator Triplett	✓	
Senator Burckhard	✓				
Senator Freborg		✓			
Senator Uglem	✓				

Total (Yes) 4 No 3

Absent 0

Floor Assignment Uglem

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2224: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2224 was placed on the Eleventh order on the calendar.

2011 HOUSE TRANSPORTATION

SB 2244

2011 HOUSE STANDING COMMITTEE MINUTES

House Transportation Committee
Fort Totten Room, State Capitol

SB 2244
03/03/2011
Job # 14909

☐ Conference Committee

Committee Clerk Signature Jeanette Cook

Explanation or reason for introduction of bill/resolution:

SB 2244 is a bill relating to operator's licenses and intrastate exemptions for drivers of commercial motor vehicles.

Minutes: Attachment # 1-3

Senator G. Lee, District 22, spoke to introduce SB 2244 and explained that it was submitted on behalf of the Highway Patrol and is intended to bring North Dakota law into compliance with the federal statute in the areas of intrastate exemptions for drivers of commercial motor vehicles. The merger of federal and state law allows for continuing funding of safety programs under the National Highway Traffic and Safety Administration. He reviewed each section of the bill.

Chairman Ruby: In part B, it refers to triple axel, wasn't that understood as part of a combination before?

Senator G. Lee: No, I don't think so. It was intended to be there because the triple axle has gotten to be the small farm truck these days. It was intended to be separate from the combination axle.

Chairman Ruby: Is going from eight consecutive hours off duty to ten hours a federal requirement?

Senator G. Lee: Commercial drivers are limited to twelve hours of driving. So, this is to put us into compliance.

James Prochniak, Superintendent of North Dakota Highway Patrol spoke in support of SB 2244 and provided written testimony. See attachment #1.

Chairman Ruby: The way the law reads currently, you cannot get a CDL until age eighteen, is that correct?

James Prochniak: That is correct. However, with the current law and certain configurations, or the weight of the vehicle, those under eighteen may still be allowed to drive those vehicles.

Chairman Ruby: Would those vehicles not be considered a commercial vehicle until they were loaded?

James Prochniak: That is correct. This bill is tightening up that portion of code that is missing. We did make sure that this does not affect the farm industry and worked to maintain the farm exemption.

Chairman Ruby: Is that something that the federal law is concerned with, that someone under the age of eighteen are driving trucks that are heavier weights when they are loaded?

James Prochniak: It is required. This request would be to make North Dakota compliant with the federal law.

Chairman Ruby: There might be discussion that someone on a farm might be driving a truck and a trailer under the age of eighteen, where someone the same age would not be allowed to drive the same type of vehicle and trailer for a commercial business. I think that is inconsistent.

James Prochniak: I can't disagree with inconsistency. I think that we tried to accommodate the industry that is the most prevalent in our state, the ag industry.

Chairman Ruby: Clarify the section where "cumulative hours" is added. How does that add another hour of drive time?

James Prochniak: I would add another hour of on ***duty*** time. I am referring to a driver that may do a pre-trip or post-trip inspection. They are out of their truck and not driving. It gives them that ability to have the extra hour to perform that duty.

Chairman Ruby: By using "cumulative", can they can stop for a break or something, and it won't get counted as drive time?

James Prochniak: They can report in their log that there is a drop down, and they are taking that time off.

Representative R. Kelsch: In your testimony in Section 2 part 3 it says, "...an emergency declared by the governor" and then it adds "or by a representative of the governor authorized by law to declare an emergency." I don't see the last part of that in the bill. Are you proposing that as an amendment?

James Prochniak: It was not included in the copy you have. Either way it will accomplish what we intended. There is a process that we follow and try to stay with that. The previous wording made it sound like anyone, like a company executive, could declare the emergency.

Representative R. Kelsch: Is it the unwritten rule that the governor has the authority to designate someone else in his absence, or do we specifically need to have it in statute? It ***just*** says the governor.

James Prochniak: I think that we should just make sure that it is consistent with the bill that you have in front of you. When we met with the governor's office and Mr. Bernstein, they were comfortable and agreed with the language "by the governor".

Glenn Jackson, Director of the Drivers License Division at the North Dakota Department of Transportation, spoke to support SB 2244 and provided testimony and a copy of the amendment. See attachment #2 and #3.

Representative Gruchalla: I wasn't aware that if you are towing a vehicle with a farm tractor, that there was a weight restriction.

Glenn Jackson: There is no restriction when towing with a tractor. But in this section, it is not the farm tractor part the part we are changing. It adds in the part that says a truck towing a trailer and the combination thereof up to 26,000 pounds.

Representative Weisz: The original language basically states that whatever the farm tractor is towing is exempt.

Representative Onstad: Do you need a Class D license to drive a tractor on a highway?

Glenn Jackson: No, you do not. But a truck towing a trailer the combination of which adds up to more than 26,000 pounds, you do need a Class D license.

Glenn Jackson: In the current law, the reference to the tractor is already there. We are not touching that aspect of it. The point of this amendment is to clarify the second half of that sentence, because we have individuals who come in with a large pickup truck and are pulling a large trailer. They want to know if they can have a 10,000 pound truck and pull a 16,000 pound trailer. The answer is yes. If they have a 16,000 pound truck and pull a 16,000 pound trailer, the answer is no. 26,000 pounds is the maximum total gross combined weight.

Chairman Ruby: Your amendment would start on line 15?

Glenn Jackson: It starts on line 13. From our perspective we took out what was confusing language. It already says that on the back of a Class D license.

Chairman Ruby: Have we already been following the federal requirements about changing the hours off duty from eight to ten?

James Prochniak: We have been following those federal regulations at this time, but it has not been placed into state law. The federal regulations have been in place at least five years.

Tom Balzer, North Dakota Motor Carriers: We support SB 2244 to keep North Dakota compliant with the federal regulations. The FMCSA passed the new hours of service rule in 2005. It has been in court for quite awhile. They actually just reissued the hours of service rule. What we have in this bill is the current one. If it will change, is under debate and will end up in court. The American Trucking Association already has the law suit filed, even though the decision hasn't been made. This bill is current practice, and probably will be for quite awhile. If it changes, we will be back again to modify it.

Chairman Ruby: Is the current proposal to change it to less than twelve hours?

Tom Balzer: When the FMCSA issued the proposed rule didn't specify the hours. They gave two options: keeping it the same or reducing it back down. There is, in the industry's opinion, very significant empirical data that supports the fact that the additional hour of drive time has no impact on safety whatsoever. In fact, it is looked at as one of the safer hours. That is what the argument is going to be. The FMCSA did not make a decision, but we believe that they will try to reduce it down to eleven hours of drive time.

Mike Rud, Executive Director of the North Dakota Propane Gas Association and the President of the North Dakota Petroleum Marketers, spoke to support SB 2244 and to be in compliance with the federal regulations.

There was no further support for SB 2244.
There was no opposition to SB 2244.
There was no further testimony for SB 2244.

The hearing on SB 2244 was closed.

Representative R. Kelsch moved the amendment.
Representative Owens seconded the motion.
A voice vote was taken.
The motion carried.

Representative R. Kelsch moved a DO PASS as amended on SB 2244.
Representative Owens seconded the motion.

Representative Owens: Referring to the issue about the Governor in emergencies. By saying "the Governor", we are restricting it to the Governor, not anyone else? I also have to ask how this affects 2107, where we are giving the Adjutant General certain powers under emergency situations.

Chairman Ruby: I don't know.

Representative Owens: If the intent is to limit it to just the Governor, then that is fine.

James Prochniak: This amendment is ***just for*** an "hours of service waiver". It is not for a disaster declaration, an evacuation, or anything else. If the Governor is out of the state, then the Lt. Governor would make the decision.

A roll call vote was taken on SB 2244. Aye 13 Nay 1 Absent 0
The motion carried.
Representative Weisz will carry SB 2244.

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Adopted by the Transportation Committee

VIC
3/3/11

March 3, 2011

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2244

Page 1, line 12, after "and" insert "may operate"

Page 1, line 13, overstrike ", semitrailer, or farm trailer when the gross weight of the trailer, semitrailer,"

Page 1, overstrike line 14

Page 1, line 15, overstrike "sixteen thousand pounds [7257.48 kilograms]" and insert immediately thereafter "in excess of ten thousand pounds [4535.92 kilograms] provided the combined weight does not exceed twenty-six thousand pounds [1193.40 kilograms] gross combination weight rating"

Renumber accordingly

Date: 3-3-11

Roll Call Vote #: 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2244

House TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep Kelsch Seconded By Rep Owens

Representatives	Yes	No	Representatives	Yes	No
Chairman Ruby			Representative Delmore		
Vice Chairman Weiler			Representative Gruchalla		
Representative Frantsvog			Representative Hogan		
Representative Heller			Representative Onstad		
Representative R. Kelsch					
Representative Louser					
Representative Owens					
Representative Sukut					
Representative Vigesaa					
Representative Weisz					

Voice Vote Motion Carried

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Glenn Jackson's amendment. Attach. #3

Date: 3/3/11

Roll Call Vote #: 2

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2244

House TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By R A Kelsch Seconded By Owens

Representatives	Yes	No	Representatives	Yes	No
Chairman Ruby	X		Representative Delmore	X	
Vice Chairman Weiler		X	Representative Gruchalla	X	
Representative Frantsvog	X		Representative Hogan	X	
Representative Heller	X		Representative Onstad	X	
Representative R. Kelsch	X				
Representative Louser	X				
Representative Owens	X				
Representative Sukut	X				
Representative Vigesaa	X				
Representative Weisz	X				

Total (Yes) 13 No 1

Absent 0

Floor Assignment R. Weisz

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2244, as engrossed: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2244 was placed on the Sixth order on the calendar.

Page 1, line 12, after "and" insert "may operate"

Page 1, line 13, overstrike ", semitrailer, or farm trailer when the gross weight of the trailer, semitrailer,"

Page 1, overstrike line 14

Page 1, line 15, overstrike "sixteen thousand pounds [7257.48 kilograms]" and insert immediately thereafter "in excess of ten thousand pounds [4535.92 kilograms] provided the combined weight does not exceed twenty-six thousand pounds [1193.40 kilograms] gross combination weight rating"

Renumber accordingly

2011 TESTIMONY

SB 2224

SB 2224

Good morning, Chairman Lyson, and Senate Natural Resources Committee members. For the record, my name is Julie Ellingson and I represent the North Dakota Stockmen's Association.

Our organization has mixed feelings about this bill. Our beef-producing members unfortunately know firsthand the problems associated with what appears to be a growing coyote population. The predators are always a concern, but particularly now, as we move closer to calving and lambing season, when our young stock – the sources of our livelihood – are most vulnerable to the vices of these furbearers. We have received more calls and concerns about the high prevalence of coyotes than any other year in my 15 years at the Stockmen's Association.

To respond to this ongoing challenge, our members look to the experts at Wildlife Services, who strategically hunt and trap these animals to protect our herds. We have long-standing policy supporting this agency and continued state and federal funding for the Wildlife Services program. Thus, we oppose Section 2 of this bill, which would strip away $200,000 of the agency's appropriation and hamper its ability to conduct its work on behalf of our industry and other stakeholders.

With that being said, we are intrigued with the idea of being able to tap into the possible lay-person human resources that could be available to work to address this program and augment the efforts of our Wildlife Services agency.

In conversations with those who understand this issue far better than I, finding long-term solutions to inflated coyote populations involves a strategic, methodical plan. That's why we'd propose that lay hunters be engaged to help in the process and incentivized to do so, but that Wildlife Services facilitate the process that is utilized. This approach could have a trio of benefits: 1) address the coyote issue to minimize impacts to livestock operations; 2) keep Wildlife Services funding for the upcoming biennium intact; and 3) engage sportsmen and sportswomen to be part of the solution.

If this committee and the legislative body opts to move forward with the establishment of a coyote bounty, we'd likewise suggest that two front paws, instead of the whole animal, be adequate to claim the bounty, as the animal's fur could then be marketed to a fur buyer, better utilizing this resource and that bounty hunters be required to sign an affidavit of where the animals were taken, as to prevent fraud and ensure that the animals are from North Dakota, not some other place. Likewise, if you opt to pursue this plan, an emergency clause may be in order to get something in place in a timely fashion, not at the start of the new biennium, long after the new calves and lambs are on the ground.

Thank you for this opportunity to discuss this bill. Please consider this approach as you contemplate the issue.

#2

SB 2224
Senate Natural Resources Committee
January 27, 2011

The North Dakota Game and Fish Department stands in opposition to SB 2224. This bill was presumably submitted due to the belief that the coyote population in the state is the cause of recent declines in deer numbers. In addition, the fact that USDA Wildlife Services may be unable to provide services for coyote depredation on livestock beginning March, 2011 due to a funding shortfall may also be a factor. However, I will confine my remarks to the effectiveness of coyote bounties.

The discussion of bounties typically arises when discussing livestock depredation or lower numbers of game animals, in this instance deer. There's no doubt that some deer are taken by coyotes, but it's not the primary causative factor of lower deer numbers in North Dakota. The facts are that over the past five years the Department has actively managed for a lower number of deer in many parts of the state. The public felt that there were too many deer in areas and that the number of deer needed to be reduced. An illustration of this is that over the past five years, deer hunters in North Dakota have harvested approximately 300,000 antlerless deer. Conservatively speaking, if half of those had a single fawn over that same time frame, approximately 450,000 deer have been taken off the landscape. In addition we're in the third consecutive hard winter in the state, which undoubtedly causes lower reproduction and winter mortality.

Now, back to the discussion of bounties. It's been shown time and time again that bounties don't reduce predator populations. In order to be effective, the annual surplus of the targeted predator must be harvested over a large geographic area and for an extended period of time. Experts have stated that between 50% and 75% of the population must be removed every year for a long period of time before any effect would be realized.

Over the last 20 years, an average of 7,000 coyote's pelts are sold each year to North Dakota fur buyers. We know that an additional 2,000 coyotes harvested in North Dakota each year are sold at international auctions. So we know at least 9,000 coyotes are harvested and sold in North Dakota each year on average. In addition, USDA Wildlife Services removes on average an additional 2,300 coyotes when working on livestock complaint areas. Our data from fur harvester questionnaires indicates that the total number of coyotes harvested annually ranges from 25,000 to 40,000. Coyotes that would have been killed anyway would likely be those paid for by the bounty in this bill.

In summary, any bounty on coyotes would be ineffective in controlling coyote populations and would reduce funding to the financially troubled USDA Wildlife Services program which provides coyote control to individual livestock producers. As such, we are opposed to SB 2224.

#3

History of Bounties in North Dakota

NDWF Meeting, March 2010
Stephanie Tucker, NDGFD

Bounties are typically brought up in conversation when discussing wildlife depredation or lower numbers of game animals, such as deer and pheasants. The later reason is the case recently here in North Dakota. So, do coyotes kill deer and pheasants? Absolutely, but (and I can't stress this point enough) just because deer and pheasant numbers are down, and coyote numbers are up, doesn't mean you've gotten the whole story. Therefore, I'd like to take a few minutes to talk about bounties, and what history has taught us about why they are NOT an effective wildlife management tool.

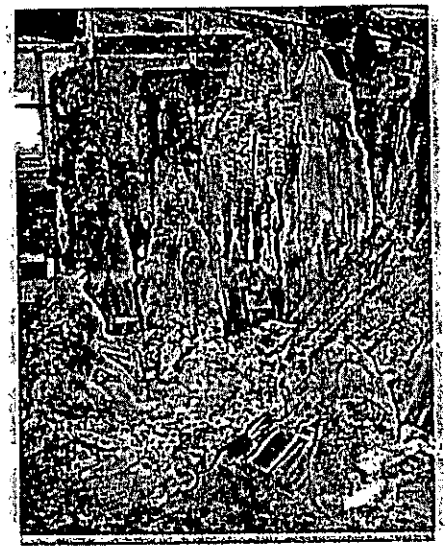
History of bounties

- Nearly every state and province has had a bounty system at one time or another, all eventually discontinued
  - 1896 - Bounty program began (wolves, coyotes, fox, bobcat, magpies, rattlesnakes, etc.)
  - 1943 - $1.1 million paid, mostly wolves and coyotes
  - 1961 - $2.2 million paid, mostly coyotes and fox, discontinued the program

As this slide here says, nearly every state and province has had a bounty payment system for predators in place at one time or another. It should also be noted that every state/province eventually discontinued these programs because they were not achieving the goals they were set out to do.

North Dakota was no exception, and a state-sponsored bounty program was enacted in 1896. Over the course of the program, bounties were paid for all kinds of critters, ranging from wolves to magpies. By 1943, $1.1 million worth of bounty payments had already been made, mostly for wolves and coyotes. That number doubled to $2.2 million worth of payments by 1961, mostly due to an explosion in the fox population. By then, although wolves were extirpated from the state, it was apparent the bounty system was having no real affect on coyote and fox numbers, so the program was discontinued.

What has >60 years of paying bounties taught us?



- The facts:
  - Bounties do not reduce predator populations
  - Bounties do not increase prey populations
  - Bounties are expensive
  - Reasons why bounties are not an effective wildlife management tool are many and varied

In ND we had a bounty system in place for approximately 65 years, and here are the hard lessons learned. Because bounty systems are affected by so many different factors, ranging from economics to biology, I'm going to start by giving the take-home messages and then I'll dive into these bullet points each a little more.

Reducing predator numbers

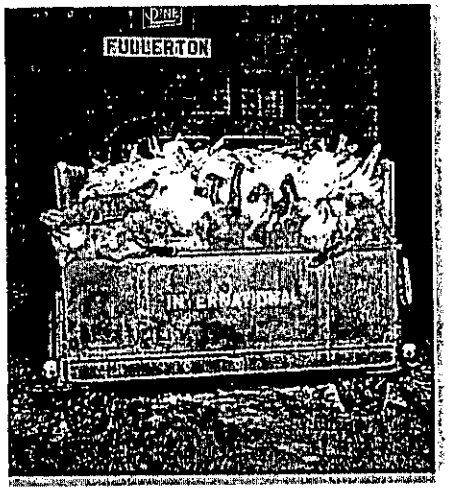
- Must harvest more than the annual surplus over a large geographic area, for an extended period of time
  - Coyotes alter their reproductive strategies
  - Coyotes make behavioral changes, hardest to trap or call are the ones surviving to reproduce
  - Harvesters lose interest before having a substantial effect on population
  - Need to maintain high harvest over extended period of time

What would it cost to get the job done?

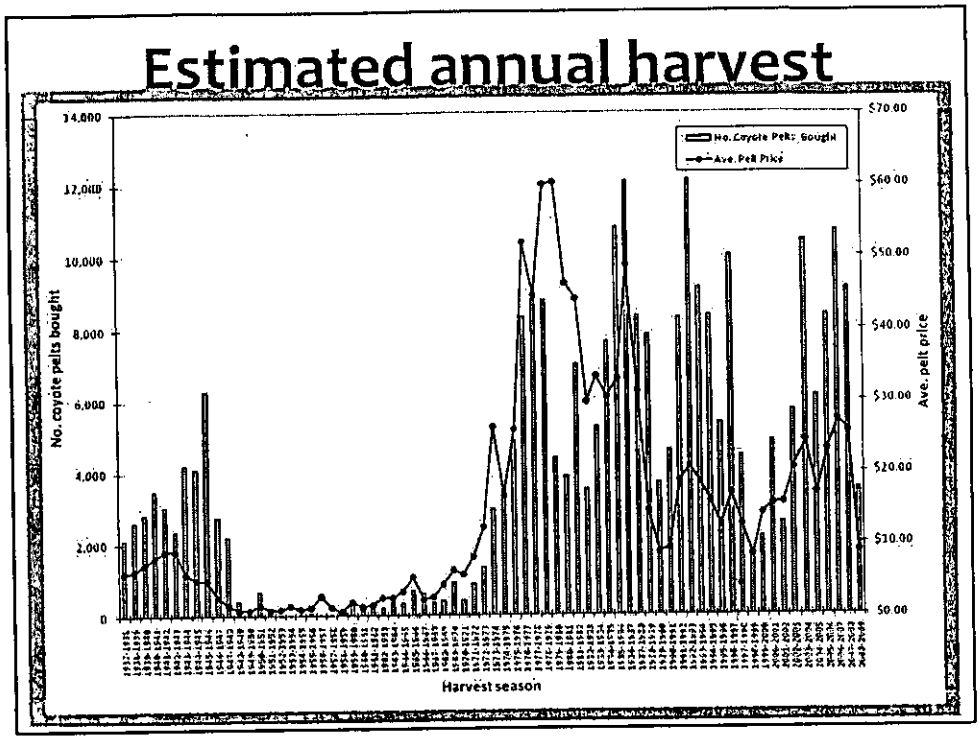
- Must pay for animals that would have been killed anyway AND additional individuals
  - "...majority of predatory species that are bountied annually would have been taken even if no bounty were paid." (Adams, A. 1961)
- Must pay enough to make it worth while to bounty the animal
- Must keep harvesting coyotes even as it gets harder to do
  - Law of diminishing returns

Road kills

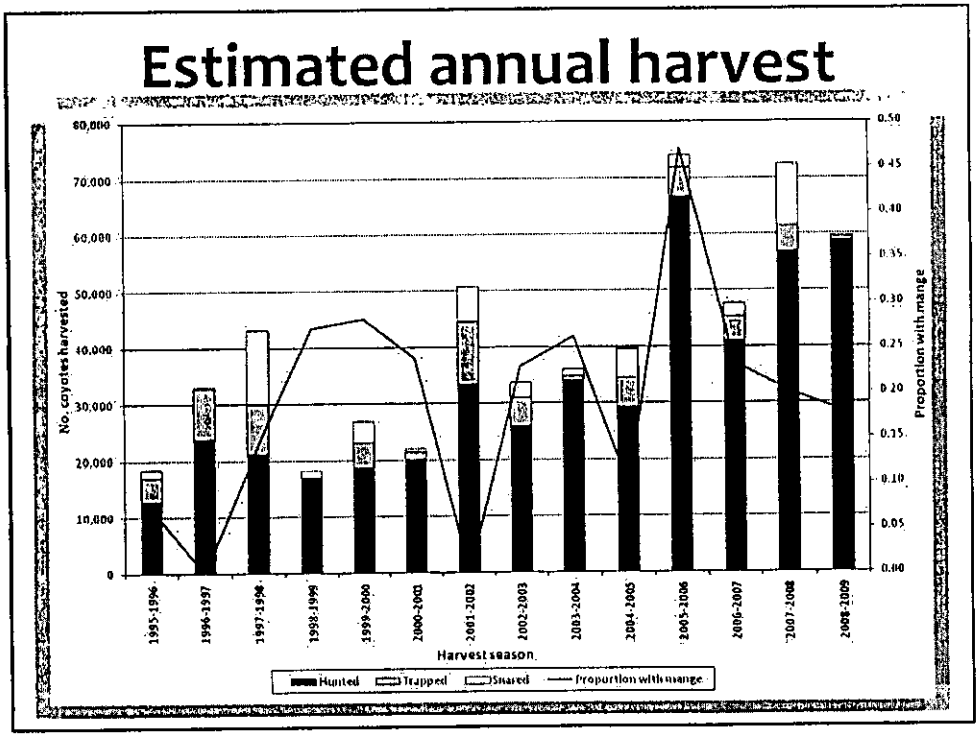
How many coyotes would need to be harvested?



- Allen, S.
  - At least 50% annual take
- Connolly and Longhurst (1975)
  - 75% removal each year, for 50 years



This graphs shows the number of coyotes sold to ND fur buyers each year since 1937. In the last 20 years, on average about 7,000 are sold each year. Additionally, we know that about 2,000 coyotes harvested in ND each year are sold directly to the international fur auctions. So, now we can confidently say at least 9,000 coyotes are harvested in ND each year. Keep in mind this doesn't include coyotes that are shot and left lay or kept for personal keepsakes.



In fact, data from our fur harvester questionnaire indicates that the number of coyotes harvested annually averages closer to 40,000 individuals.

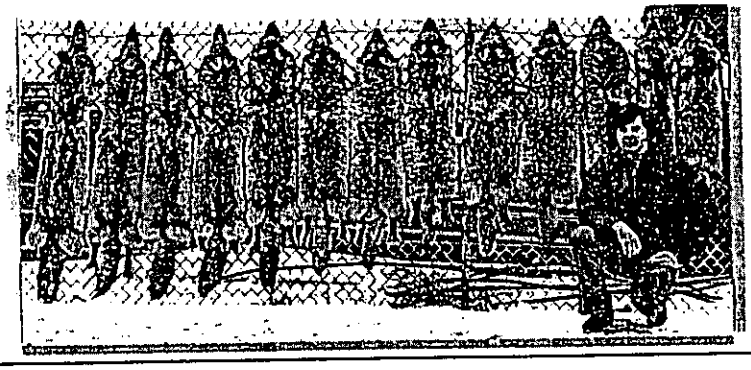
Theoretical cost

(10,000) + 4(10,000) = 50,000 coyotes

50% of 50,000 = 25,000 coyotes

25,000 x $25.00 = $625,000 ⟶

Repeat for 20-30 years

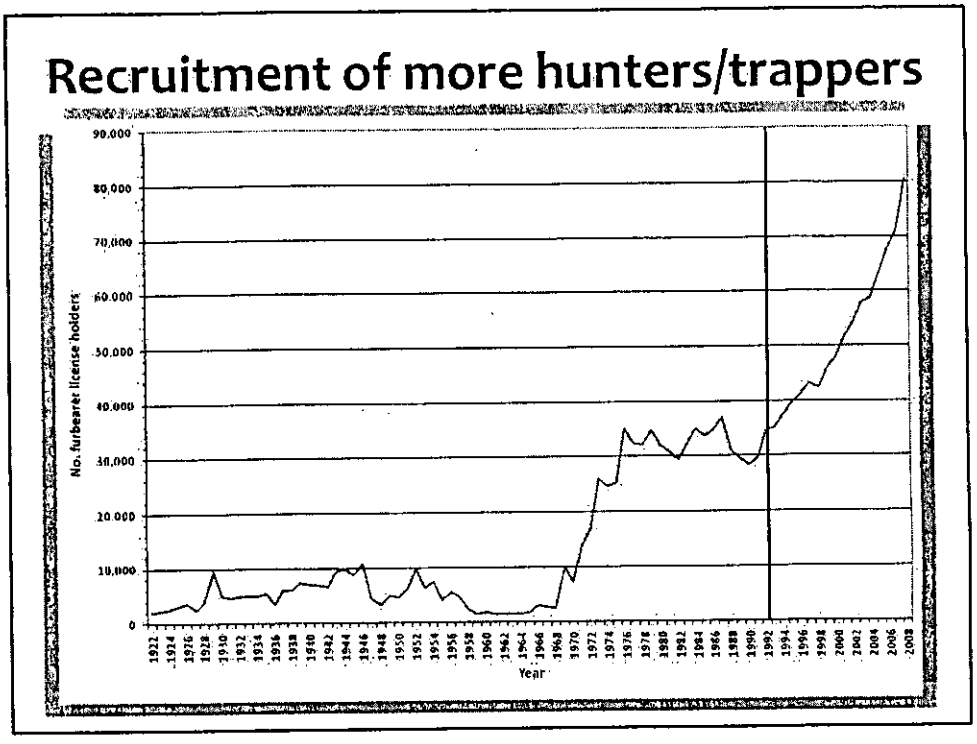


I'm going to run through a quick theoretic estimate of what an effect bounty program would cost. If we use our conservative harvest estimate of around 10,000 coyotes annually, and conservatively assume for every we harvest, we see another 4 coyotes that get away...we end up with a conservative population estimate of 50,000 coyotes in the state (remember, our annual harvest is estimated to be this high, so we likely have many more coyotes than this number suggests). Then, if we need to harvest a minimum of 50% of the population to have an effect...we end up needing to harvest 25,000 coyotes each year. If we pay $25 per coyote, which is the price one might get for a good coyote in a year, we're looking at the bounty program costing over half a million dollars annually. And keep in mind, this needs to be repeated over the long term...

To kill more coyotes, need more people

- Bartel & Brunson (2003)
  - Utah reinstated a bounty program in a few select counties
  - Did not recruit new hunters/trappers
  - Did not increase participation from current hunters/trappers

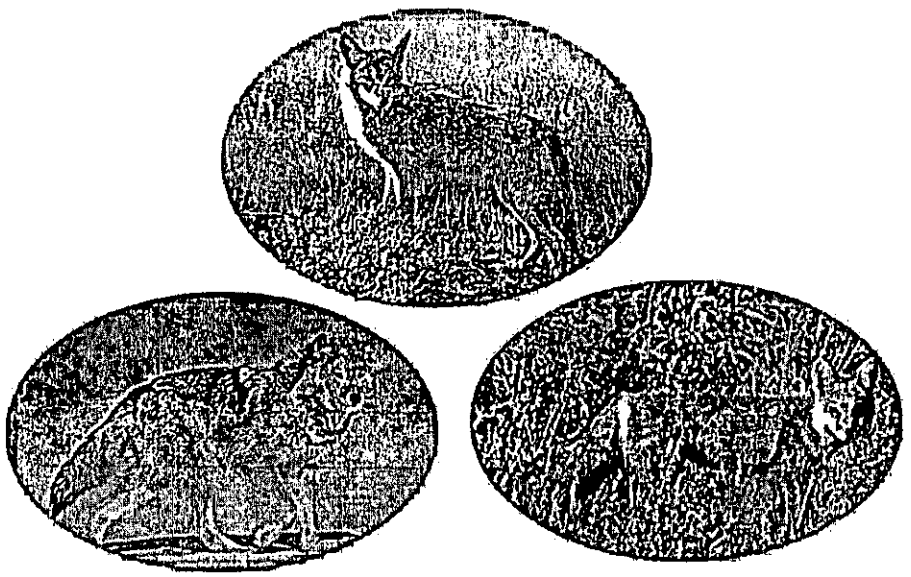
In early 2000s, Utah reinstated a bounty program in a few select counties which gave researchers another opportunity to look at the effects bounty programs had on harvester recruitment.



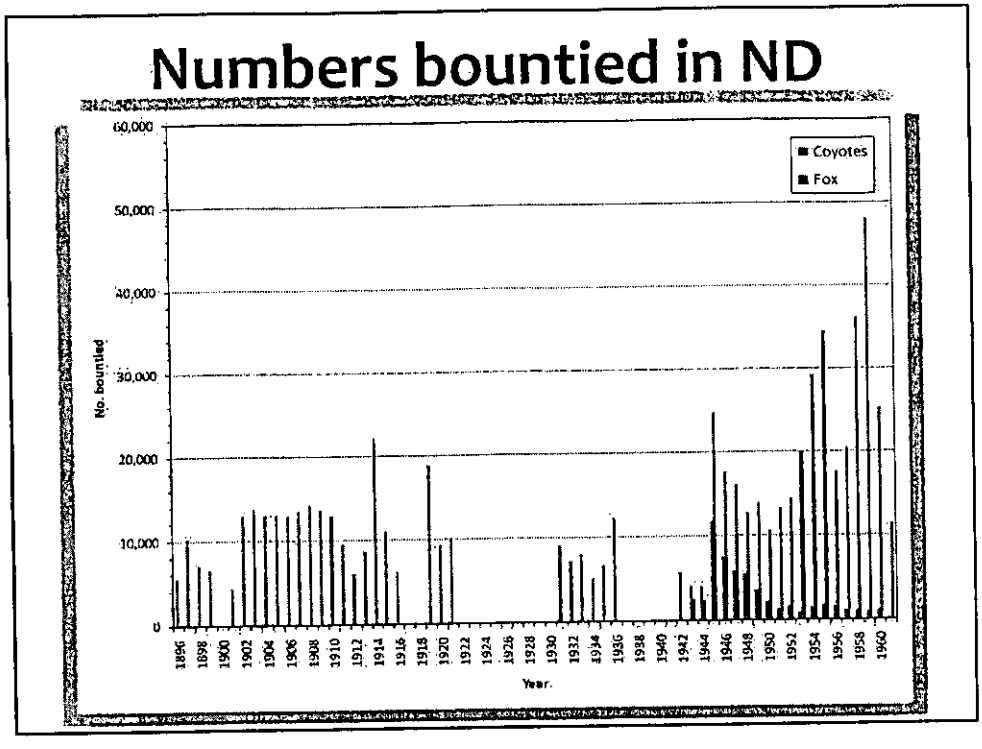
Harvest of coyotes is as liberal as it gets: year-round season, unlimited license sales, cheap license prices, hunting at night, etc.

Currently, there are over 80,000 people legally licensed to take coyotes in the state. Of course, not all of those people pursue coyotes, but could legally shoot one if they saw one. The red line indicates when the NDGFD began selling combination licenses, which includes a furbearer license.

Effects on other canid populations



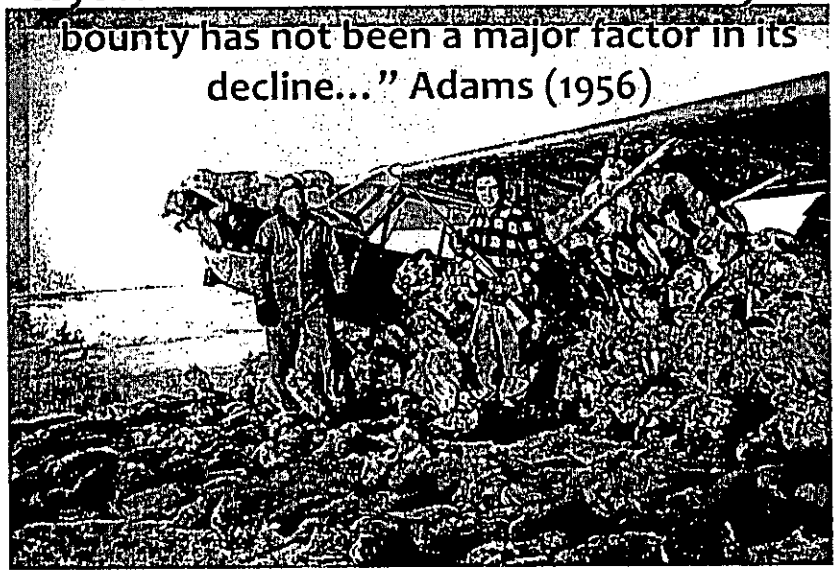
Yet another reason bounty systems have been shown ineffective is related to the interaction between coyotes and other canid species. When wolves were on the landscape, they helped control coyote numbers. When coyotes are on the landscape, they help control fox numbers.



And the effect of this interaction between canid species became obvious in ND during the last couple decades the bounty system was in place. Reduced coyote numbers (which I'll explain in just a minute why they were likely reduced) alleviated pressures on fox, and the fox population exploded. And fox are twice the nest predators that coyotes are, so now people were really getting concerned so they added fox to the bounty list. And each year it seemed the number of fox bountied increased, but still fox thrived.

Please note, that between 1890 and 1960, the number of people living in ND increased 231%! Yet still, we couldn't wipe coyotes from the state.

"Over much of its range in North Dakota the coyote is a rather rare animal... certainly the bounty has not been a major factor in its decline..." Adams (1956)



The previous slide illustrated that coyote numbers appeared to be going down after 40 years of bounty payments, but as you can see here from this picture and the quote from Art Adams in 1956, there were some other factors besides bounties playing a significant role. Aerial hunting was popular during this time. Bounty records from 1952-1961 documented that about 33% of bounty payments went to aerial hunters. Additionally, predator poisons were legal and widely available. And we know that these 2 methods of taking coyotes were major factors in reduced coyote numbers during the 50s.

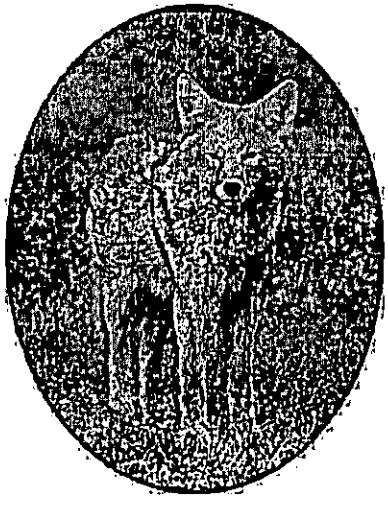
The facts... and still bounties are popular

- Missouri had their highest level of coyote harvest occur 31 years after began paying bounties, Sampson (1967)
- Coyotes were bountied for 68 years in Nebraska and their numbers continued to go up and down anyway, Hellyer (1949)

- Why do people want bounties?
  - Belief that wildlife needs protection from predators
  - The money goes to people who need it
  - Appears as logical
  - Like to get something for nothing

So nationwide we have documented that bounty systems do not have significant effects on coyote populations...and I've listed 2 examples here...

Problems with bounties



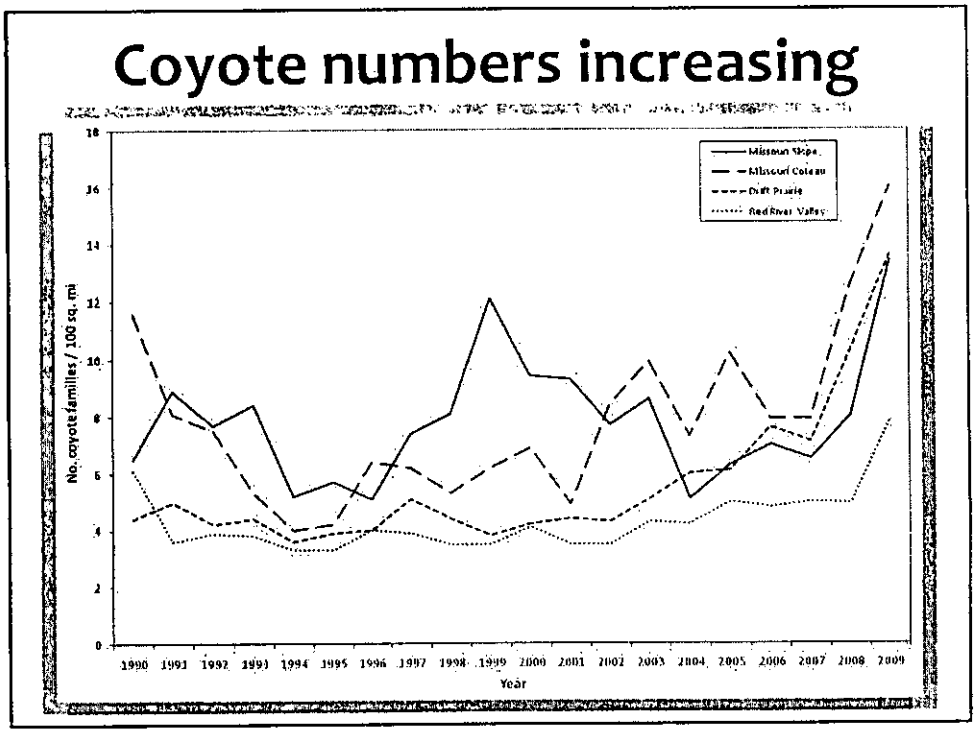
- People find ways to "cheat" the system
  - Crossing state or county lines
  - Misidentification
- Bounty systems kept because of social reasons, not biological
  - Feel like we're doing something
  - Helping out people in need

Limited "success"

- **Bounties have only ever been successful with predators that are sparse and have low reproductive rates (e.g. wolves and mountain lions)**

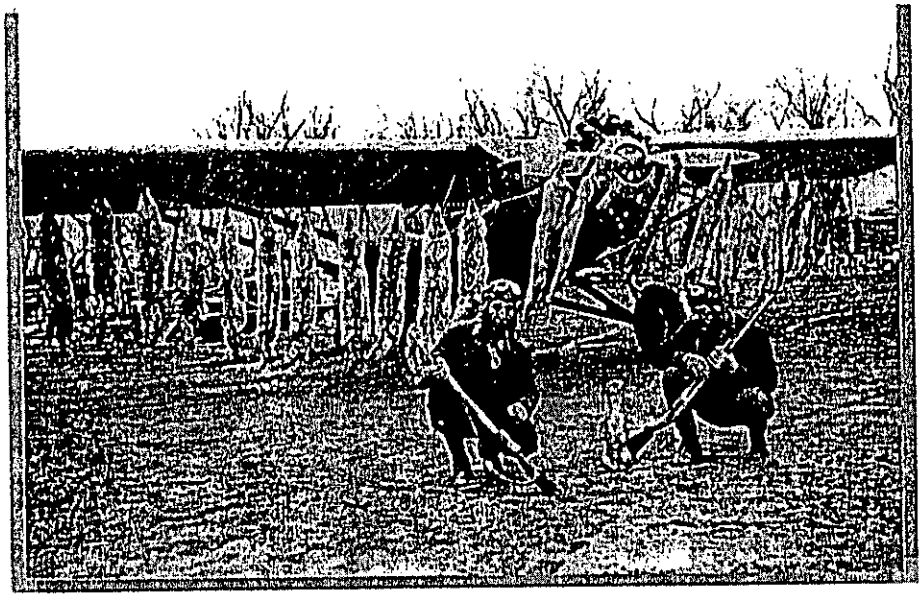
Most biologist would agree that bounties contributed to the extirpation of wolves and mountain lions over much of the Midwest and eastern United States. And they also would agree that this is probably due to the fact that these 2 species have a couple things in common: low densities and low reproductive rates. Both species maintain large territories within which they exclude other members of the species, which results in low densities. Wolves are pack animals in which only the dominant pair breeds. This results in only 1 litter of pups being born for anywhere from 2-5 adults females in the population. Compare this to coyotes, where pretty much every adult female breeds every year. And mountain also have low reproductive rates, but for different reasons. Adult females typically don't breed until they're at least 2 years of age, and then once they do the only produce a litter 2-4 kittens every 2 years.

Coyote numbers increasing



What are some factors that could be contributing to an increase in coyote numbers? Diseases are down. Mange, distemper, rabies… Coming off of a hard winter, but deep snow and severe weather results in exposure of prey species to predators, coyotes being one of those predators. Also, because of severe winter weather, coyote harvest the last 2 years was at an all-time low, so there was more carryover in from previous years.

Questions

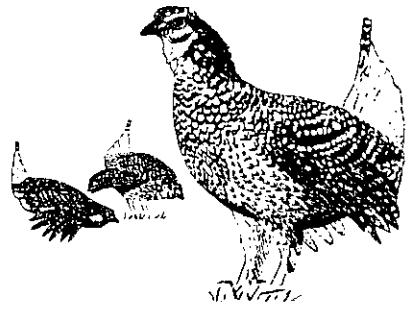


#4

North Dakota Chapter

THE WILDLIFE SOCIETY

P.O. BOX 1442 • BISMARCK, ND 58502



TESTIMONY OF MIKE McENROE
NORTH DAKOTA CHAPTER OF THE WILDLIFE SOCIETY
ON SB 2224
SENATE NATURAL RESOURCES COMMITTEE
JANUARY 27, 2011

Chairman Lyson and members of the Senate Natural Resources Committee:

My name is Mike McEnroe and I represent the North Dakota Chapter of The Wildlife Society. The Chapter is a professional organization made up of over 320 biologists, land managers, university educators, and law enforcement officers in the wildlife and natural resource field.

The Chapter stands with the North Dakota Game and Fish Department in opposing SB 2224 setting up a limited bounty system for coyotes. In literally decades of wildlife management, bounties have been shown to be ineffective. Bounties do not target the problem animals, coyotes, in this case. They waste money, and will wind up paying bounty on road kills, coyotes from other states, and animals taken during times of the year when they are not causing problems. This bounty system will reduce the current effectiveness of coyote management for both ranchers and folks who see coyotes as a problem for deer or other game species.

Thank you for the opportunity to comment on SB 2224. I will answer any questions the committee may have.

Cass County
WILDLIFE CLUB
Box 336
Casselton, ND 58012

TESTIMONY OF FOSTER RAY HAGER
CASS COUNTY WILDLIFE CLUB
PRESENTED TO THE SENATE NATURAL RESOURCES COMMITTEE
on
SB 2224
January 27, 2011

Mr. Chairman and Members of the Committee:

I am Foster Ray Hager speaking on behalf of the Cass County Wildlife Club an organization of over 160 sportspeople organized to promote conservation of wildlife, to promote sportsmanship in hunting and fishing and to support the proper management of these resources.

We oppose S.B. 2224 because we feel that it will not solve the coyote problem.

Research in many states has proven it doesn't work.

#6

SENATE BILL 2224

Before the Natural Resources Committee

January 27, 2011 at 9:00 A.M.

Submitted by Glen E. Baltrusch

Good morning Chairman Lyson and committee members,

My name is Glen Baltrusch. I was born and raised in the great state of North Dakota, and I reside in Harvey, North Dakota, which is in District 14. I stand before you today in opposition of **Senate Bill 2224** and respectfully request that this committee unanimously agree to a "**DO NOT PASS**" recommendation to the floor of the Senate after this hearing is completed.

Mr. Chairman, committee members, I believe **SB 2224** is one of those bills that the sponsors may have believed with good intentions, as a piece of good legislation. Unfortunately, I firmly believe **SB 2224** will have unintended consequences and problems relative to landowner's, hunter's, trapper's and the North Dakota Game and Fish Department. Several of the problems I foresee are as follows:

1.) South Dakota and Montana coyotes will have suddenly assumed residency status in North Dakota;
2.) People willfully violating "NO HUNTING" and / or "NO TRESPASSING" signs causing an undue burden upon ND G&F personnel;
3.) Residents and non-residents creating bad relations with landowners thus causing difficulty in gaining access for those hunters and trappers who abide by current law;
4.) Cause an unnecessary shortage of funds for defraying the expenses of the ND G&F; and
5.) It is an unnecessary waste of a natural resource... all because of the one hundred dollar ($100) bounty;

Now, would I like to receive $100 or more bounty for each coyote taken? "Yes", as I would not have to skin, flesh, stretch, and dry the fur. The problem with this bill, in my humble opinion, is the fact that while coyotes are both beneficial in nature and an occasional nuisance to farmers and / or ranchers, **SB 2224** provides for the wanton waste of a natural resource. If

coyotes become a threat to, or cause depredation of livestock, or people, then the animal(s) should be dispersed. Otherwise coyotes should be managed in order to help prevent disease among the species and to provide a resource for mankind, such as furbearers and big game as currently provided for by law.

Therefore, I request that this committee report a unanimous "**DO NOT PASS**" recommendation on **SB 2224** to the full Senate for consideration on the floor.

Chairman Lyson, committee members, thank-you for your time and consideration in this pertinent matter. If you have any questions, I will try to answer them for you.